

MAAS, MAG

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ADRIANA AGUILAR, ANDRES LEON, ELENA LEON, ERIKA GABRIELA GARCIA-LEON through her Next Friend Adriana Aguilar, CARSON AGUILAR through his Next Friend Adriana Aguilar, NELLY AMAYA, MARIO PATZAN DELEON, DAVID LAZARO PEREZ, WILLIAM LAZARO, TARCIS SAPON-DIAZ, SONIA BONILLA, BEATRIZ VELASQUEZ through her Next Friend Sonia Bonilla, DALIA VELASQUEZ through her Next Friend Sonia Bonilla, ELDER BONILLA, DIANA RODRIGUEZ, YONI REVOLORIO, JUAN JOSE MIJANGOS, GONZALO ESCALANTE, VICTOR PINEDA MORALES, YANET MARTINEZ, RAUL AMAYA, GLORIA VANESSA AMAYA, JOHN DOE #1, JANE DOE #1, JOHN DOE #2 through his Next Friend Jane Doe #1, JOHN DOE #3 through his Next Friend Jane Doe #1, JOHN DOE #4, JOHN DOE #5, PELAGIA DE LA ROSA-DELGADO, ANTHONY JIMENEZ, CHRISTOPHER JIMENEZ, through his Next Friend Pelagia De La Rosa-Delgado, and BRYAN JIMENEZ, through his Next Friend Pelagia De La Rosa-Delgado, on behalf of themselves and all others similarly situated,

Plaintiffs,

-against-

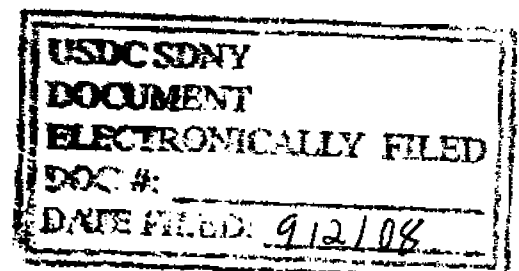
IMMIGRATION AND CUSTOMS ENFORCEMENT DIVISION OF THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY, MICHAEL CHERTOFF, United States Secretary of the Department of Homeland Security, JULIE L. MYERS, Assistant Secretary of Homeland Security for Immigration and Customs Enforcement, JOHN P. TORRES, Director of the Office of Detention and Removal Operations, Immigration and Customs Enforcement, CHRISTOPHER SHANAHAN, New York Field Office Director for Detention and Removal Operations, PETER J. SMITH, JOSEPH A. PALMESE, DARREN WILLIAMS, JEFFREY KNOPF, JANE AND JOHN DOE DEFENDANTS #1-52, a/k/a ICE 1-52, sued in their individual capacities and in their official capacities as agents and/or supervisors of ICE, JOHN and JANE DOE ICE AGENTS, and JOHN ROE and JANE ROE ICE SUPERVISORS,

Defendants.

ECF Case
Civil Action No.
07 CIV 8224 (JGK) (FM)

STIPULATION AND
~~PROPOSED~~
AMENDED
SCHEDULING ORDER

ORIGINAL



Plaintiffs and Defendants respectfully request that the Court approve this Stipulation and [Proposed] Amended Scheduling Order enlarging the current pre-trial and trial schedule by approximately four months, or in the alternative, setting a scheduling conference. The relief sought herein is the result of the parties' collective agreement that the requested enlargement and proposed schedule is needed to complete essential fact and expert discovery and, if necessary, prepare comprehensive motions for summary judgment.

WHEREAS, the Honorable John G. Koeltl, U.S.D.J. so ordered the Proposed Discovery Plan and Scheduling Order on January 29, 2008;

WHEREAS, pursuant to the July 22, 2008 Order of Reference to a Magistrate Judge, this action was referred to the Honorable Frank Maas, U.S.M.J., for general pre-trial purposes, including scheduling, discovery, non-disposition pre-trial motions, and settlement; and

WHEREAS, under the current pre-trial schedule, fact discovery must be completed no later than November 3, 2008;

The parties hereby STIPULATE to the following proposed amended pre-trial and trial schedule, and respectfully request that the Court approve and "So Order" the same:

(1A) End of Fact Discovery. All fact discovery shall be completed no later than: March 3, 2009.

(2) Expert Reports. Expert reports shall be served no later than: March 31, 2009. Rebuttal expert reports shall be served no later than: April 21, 2009. Replies of experts to the rebuttal expert reports shall be served no later than: May 12, 2009.

(3) End of Expert Discovery. All expert discovery shall be completed no later than: June 1, 2009.

1B. The Court will hold a further conference in Courtroom 20A on March 4, 2009, at 2 pm. If this date and time are not convenient, counsel should place a conference call to Chambers to reschedule.

(4) Summary Judgment Motions. Summary judgment motions shall be filed and served no later than: June 27, 2009. Oppositions to summary judgment motions shall be filed and served no later than: July 27, 2009. Replies to summary judgment motions shall be filed and served no later than: August 8, 2009.

(5) Trial. The parties shall be ready for trial on or after: September 29, 2009.

Dated: August 25, 2008
New York, New York

DEWEY & LEBOEUF LLP

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Attorneys for Defendants

SO ORDERED on this 2nd ^{September} day of ~~August~~, 2008.

Frank Maas
FRANK MAAS
United States Magistrate Judge